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In Memoriam.

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1800

For
my dear Aunt Harriet
from her affe. niece.
Eliza M. Tremain

Libby. 1879.

Very truly Yours.
Grenville Kleiser

Memorial

OF

Grenville Tremain.

"Wherever loyalty and valor are respected, wherever steadfastness and manly devotion are admired, wherever youth, ambition, intelligence and beauty combined, command interest and win affection, there will (his) character be cordially and truly appreciated."

— [Speech over David Williams' Monument, Schoharie, Sept. 23, 1876

ALBANY:
WEED, PARSONS AND COMPANY.
1878.

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Died,

ON THURSDAY, MARCH 14, 1878,

GRENVILLE TREMAIN,

AT HIS RESIDENCE IN THE CITY
OF ALBANY, N. Y.,

Aged 32 Years, 10 Months and 23 Days.

Memoir.

Grenville Tremain was born at Durham, Greene county, New York, on April 19th, 1845. He died of typhoid fever, after a short illness, at his residence in Albany, March 14th, 1878.

The story of his life is one of affection, purity, duty and devotion. As well attempt to write it as to describe the fragrance of a flower. The outlines of his career are easily noted; but the example of his life will never be lost upon those who have breathed its atmosphere. In boyhood, youth and manhood he inspired friendship and always retained it.

His boyhood days were passed chiefly at home. He was fitted for college at Mr. Reed's Walnut Hill school, at Geneva, having previously attended Mr. Anthony's Classical school at Albany, and Mr. Sedgwick's school, at Great Barrington, Massachusetts. He entered the freshman class at Union College in 1862; gained meritorious awards during his college course, and graduated with high honors in 1866. Selected from his class by the faculty to pronounce the valedictory at Commencement, his address, together with the marked enthusiasm with which it was received, will never be forgotten by any who were present. The committee

instituted to select from among the addresses of the day the most deserving in oratory, composition, and general accomplishment, unanimously voted to him their merit of distinction; and their judgment was warmly ratified by the audience. This impressive episode may be said to be the beginning of his brilliant although brief career.

He immediately entered upon the study of the law in his father's office, and attended also the regular course of exercises at the Albany Law School. As a student he was careful, thorough, industrious, and conscientious. His graduation at the Albany Law School entitled him to be sworn in as a member of the bar But he preferred to subject himself to the examination of students by the court. So, disregarding his diploma, he joined the usual class of applicants, and after passing a creditable examination, was admitted to the bar in 1868.

His father's office was then the centre of one of the most extensive law practices in the State; and it would have been very easy for a less earnest man, situated as Grenville was, to have contented himself with following rather than with leading. But his ardent love for his profession, aided by his thorough training and industrious application, in a short time not only rendered his services a substantial acquisition to the firm, but gathered about himself an independent clientage. This firm was formerly composed of the Hon. Rufus W. Peckham and Hon. Lyman Tremain.

When JUDGE PECKHAM went on the bench in 1860 his son, RUFUS W. PECKHAM, succeeded him in the firm, its style then changing from "PECKHAM & TREMAIN" to "TREMAIN & PECKHAM." When GRENVILLE TREMAIN became a partner the style was again changed to its original title of "PECKHAM & TREMAIN," Mr. LYMAN TREMAIN remaining as counsel, but the two sons of the original partners conducting its active business.

On the 1st of October, 1868, GRENVILLE TREMAIN was married to Miss ELIZA W. MARTIN, a daughter of Mr. ENOS T. THROOP MARTIN, of Auburn, New York. The marriage festivities at the hospitable homestead of Mr. MARTIN, at Willowbrook, will linger in the recollections of all who were present as among the most cordial and brilliant within their experience. Mr. TREMAIN'S widow and five children survive him.

GRENVILLE TREMAIN was not one of those men who permit the cares of business to drive away the pleasures and duties either of social, domestic or public life. He was neighborly, genial, and his society was sought for. He loved his home and was proud of its attractive circle. He was also an active, useful and public-spirited citizen. He was for one term President of the "Young Men's Association," a very important library and literary association of Albany, numbering several thousand members. He discharged the duties of this office with great satisfaction, but he found that they occupied so much of his time that he declined a re-election.

He was a member of St. Peter's church, was very active and interested in the church and its welfare, and was chosen a member of its vestry in 1874. He was continuously re-elected and held the office at the time of his death.

He was the first president of the "Unconditionals," a semi-social and political society, organized in the Presidential campaign of 1868. In politics he was by conviction an ardent Republican.

His services as a public speaker were frequently in demand, on literary as well as political occasions. The oration at the dedication of the Williams' monument is acknowledged as one of his most complete efforts. Nearly every year after his maturity had its special occasion for him on the platform. He was accustomed to participate more or less in the political discussions of the day, and to address large meetings in different parts of the State during political campaigns. In April, 1874, he was appointed Corporation Counsel of the city of Albany, an office involving many responsibilities and much labor. With this exception he never held public office. His administration was remarkably successful. He rarely employed counsel to assist him, and in this respect his administration of the office was exceptional and economical. His faithful and assiduous care of the interests confided to him was the occasion of observations in the public press, showing that he had saved large sums to the city.

In the fall of 1877 the Republican State Convention,

with singular unanimity, and, as has been truly said, "without the suspicion of a request from him to any man," nominated GRENVILLE TREMAIN by acclamation for the office of Attorney-General of the State. Even this acknowledgment, unusual to a man of his age was not required in order that he might be recognized as among the foremost of his profession in the State. He was already a leader at the bar, if any man at his age can be accorded that rank in this profession. At the request of his party he made an active canvass of the State; and he received the highest vote of any man on his ticket. Had he been as well known personally in other counties of the State as he was in Albany county where he had grown up and resided, his vote in excess of his party ticket doubtless would have elected him. Albany county, democratic usually in its majority by about fifteen hundred to twenty-five hundred, nevertheless gave GRENVILLE TREMAIN a majority of about six hundred over a popular opponent. Thus did the friends and neighbors of his boyhood esteem the man.

The universal expressions of sympathy at the time of his death, cannot pass unnoticed. He was so generally and so well known in Albany, that in every household, on the street, in the church, the courts and the public press, his death was esteemed both a public and a personal misfortune.

Probably no man of his age ever received from the bar of this State such marked testimonials to his worth

as seemed to flow spontaneously from his professional brethren. In addition to the remarks made at the meeting of the bar in Albany, that are found in this vol ume, excellent and feeling addresses were also delivered by the following named gentlemen:

Mr. William Lansing, Mr. William G. Weed, Mr. Charles J. Buchanan, Mr. Geo. W. Miller, Mr. Matthew Hale, Mr. Amasa J. Parker, Jr., Mr. Abraham Lansing, Judge Thomas J. Van Alstyne, Mr. David A. Thompson, and Mr. Austin Artcher.

It is regretted that these addresses cannot be again published in this Memorial, because it would swell the volume beyond its appointed limits.

The funeral occurred on Sunday, March 17, 1878. The *Albany Argus* of the following day thus speaks of it:

"Albany was in mourning yesterday for one of her noblest sons. The last sad rites which the living can pay to the dead but feebly expressed the sense of loss and the great void which the death of Grenville Tremain has caused. The great inexpressible sorrow which fills the hearts of his stricken family and relatives, was not alone theirs. Sacred though it was, it was rendered doubly so by being that of the public at large. The funeral which took place from St. Peter's church, yesterday afternoon at two o'clock, was one of the largest ever seen in Albany. The last sad tributes of honor and respect have too frequently of late been paid to distinguished Albanians who have passed from earth, but no young man who has gone to his final account has been more sincerely lamented, and few have passed away where death was a

greater public calamity, than that of GRENVILLE TREMAIN. This was attested yesterday in the manner in which prominent citizens, high officials, and the public of Albany generally, embraced the last opportunity of paying their tributes of respect to the memory of one who, though comparatively young in years, had won for himself a proud place on the roll of honor and fame, and whose position in his chosen profession was one of honor and responsibility in the past, and of highest promise for the future. It is not strange then that, when in the inscrutable ways of Providence so noble a character is called away, Albany should have embraced so largely the last opportunity of honoring his memory."

After a brief but impressive service at the residence, the remains escorted by the Albany Zouave Cadets, of which the deceased was a member, were removed to the church, where, followed by relatives, they were met by the RT. REV. BISHOP DOANE, REV. W. W. BATTERSHALL, and the Rectors of all the Episcopal churches of the city, and borne to the chancel. The burial service of the Episcopal church was then proceeded with, REV. DR. POTTER, BISHOP DOANE, and REV. MR. BATTERSHALL, officiating. The floral tributes were so profuse and in harmony with the occasion, that the following description from the *Albany Evening Journal* is appended:

"At the head of the coffin was a pillow of white flowers, in the center of which was worked the word "Rest," in English violets; also a handsome crown and wreath. In the front was a massive crown topped with a white cross. On the credence table was another crown and at the foot of the lecturn a pillow of rare exotics. At the base of the altar were numerous other floral

emblems consisting of crosses, crowns, anchors, broken columns, etc. The pew formerly occupied by the deceased and family was closed by a band of white ribbon, on the center of which were two palms and where they crossed was a large calla lily. The floral tributes were scarcely ever seen in greater profusion. They numbered upward of thirty pieces, and were the gifts of relatives and friends."

There was a large attendance. The spacious edifice was crowded, and all along State street were crowds of mourners who were unable to gain an entrance into the church. Among others present were the wardens and vestrymen of St. Peters, the Chief-Justice and Judges of the Court of Appeals, and other judicial officers; the members of the Albany county bar; the State comptroller; the Albany Zouave Cadets in citizen's dress; members of the Board of Aldermen; Fire Commissioners; officials and ex-officials of Albany city; the Unconditionals; Kappa Alpha Society of Union College; and members and officers of the Young Men's Association. The following named gentlemen officiated as bearers: Mr. Marcus T. Hun, Mr. Edmund L. Judson, Mr. Amasa J. Parker, Jr., Mr. William Kidd, Mr. Julian T. Davies, Mr. William Potter, Mr. James D. Wasson, and Mr. George P. Jackson.

Sunday afternoon all that was mortal of Grenville Tremain was given to the earth in the family lot at the Albany Cemetery. His memory and his example remain to us.

Memorial

OF

Grenville Tremain.

PROCEEDINGS OF THE BAR OF
ALBANY COUNTY.

At a meeting of the Bar of Albany county, on Saturday, March 16, 1878, at the court room in the City Hall, Albany, on motion of Mr. William Lansing, Mr. Marcus T. Hun was requested to preside. On taking the chair he said:

Gentlemen of the Bar:

The loss which we lament to-day is not wholly our own. Grenville Tremain was an eloquent advocate and a distinguished member of our profession; but his acts and aspirations were not confined within the limits of his professional life, and the lips which have spoken so often and so eloquently within the walls of this court room have not been silent when other duties have claimed their persuasive utterances.

Early in life he became deeply interested in political affairs. He entered political life with an honest ambition and decided convictions — with a patriotism quickened by the sacrifice of a brother in our civil war — with an enthusiastic loyalty to the

cause he advocated — with a ready eloquence which peculiarly fitted him for public life. He has completed his career unsullied by corrupted influences; respected by his political opponents as he has been greatly honored by his party friends.

Protected by his professional skill — purified by his resolute resistance to fraud and corruption — guided by his counsels, our city owes much to his zeal and capacity as its corporation counsel.

After but ten years of a brilliant professional life, his work among us has been accomplished. To few is it given to win honors and distinction thus early in life, and had age but been given, to fulfill the promises of his youth, we know not into what greater and graver responsibilities he might have entered.

But aside from his public and professional life was a little world, created by himself, nurtured from his genial nature, instructed by his pure example, loving and beloved. Here, away from the flattery of popular applause, relieved from the anxieties of business, warm hearted, genial, sympathetic, the more lovely and attractive qualities of his character revealed themselves. Into its secrets we may not penetrate; in its pitiful sorrows we can only deeply sympathize.

I know that, at a time like this, eulogy is too often extravagant of its subject, but, as as a college chum, as an intimate friend and professional brother, I can truly say, whatever his other faults or weaknesses may have been, that I never knew Grenville Tremain to do a mean act, nor to prostitute his talents and influence to an unworthy end.

While we cannot deny to ourselves the selfish sorrow for our personal loss which this hour of separation brings with it, yet might not a truer friendship rather rejoice that, upright in life, in the successful and zealous performance of its duties, with an unblemished character, he has safely finished his earthly career, before age had weakened his intellectual powers, before time had changed his physical grace and beauty, or the burden

of disease had saddened the natural buoyancy and sweetness of his disposition?

Ὃν οἱ θεοὶ φιλοῦσιν ἀποθνῃσκει νέος.

To the great court before which he has been summoned he bears the record of an honest life, the testimony of a good conscience, the memories of many a kind sympathetic act which shall plead for him there with a mute persuasion whose eloquence no words can equal.

The following letter from JULIEN T. DAVIES, Esq., of the bar of the city of New York, was read:

DEAR SIR: — The heart weighted with grief instinctively finds relief in giving utterance to its sorrow. When life has fled, friendship yearns to express its loss, and to honor the beloved dead. Permit me, then, to join those who were more closely allied to him in his professional life than was my fortune, in the performance of the last office his friends can render to our dear brother, before the tomb receives the earthly casket of his beloved spirit.

"According to his virtue let us use him,
With all respect and rites of burial."

Among the professional brethren of GRENVILLE TREMAIN, who for the past ten years have met him in his daily round of duties, there are many who will paint in glowing words his ability, brilliancy and powers of intellect. I can add nothing to their tributes. I would but feebly repeat their words, did I attempt to describe his professional successes achieved in your midst. To me, however, for more than eighteen years, this man has been a familiar and intimate friend. To me, as far as one man ever can lay bare his inmost self to another, were revealed the hidden motives that controlled the outward life. In the fall of 1859, we were together at Walnut Hill School, in

Geneva. There for two years and a half, we were room-mates. The boyish friendship then formed, grew and became more closely cemented by domestic and professional ties, even to the day of his death.

As a boy, Grenville Tremain was generous, frank, cordial, and full of a hearty energy that made him a leader among his peers. While these qualities raised esteem and admiration in those whose acquaintance with him was slight, they occasioned, in those who were brought into close contact with him, the warmest sentiments of affection, that met with full response from him. Fearless and courageous, strong in his convictions and undaunted in their expression, to him his youthful comrades accorded a prominence in their sports, that presaged his capacity for control in the weighty affairs of life. A fair scholar in his general studies, declamation and oratory especially were early pursued by him with diligence. Long before he was capable of composing an acceptable speech, he had attained a confidence in the presence of an audience, and a command of voice and gesture, that established the foundation of his subsequent brilliant success as a public speaker. In college, he maintained the reputation for oratorical ability he had won at school.

His first public effort that attracted attention, was an oration delivered in the summer of 1866, the year of his graduation from college, at a reunion of his old school-fellows at Walnut Hill, Geneva. The assemblage was large, from all parts of the State, and the youthful speaker, stirred in every warm impulse of his honest, manly nature by the scenes of his boyhood and the presence of his early friends, created an impression not often exceeded in wider fields by his more mature powers.

His kindly manner, his courteous bearing, his generosity and consideration for others, so well known to the Albany bar, developed naturally from the conspicuous qualities of his boyhood. As boy and man, Grenville Tremain was pure in spirit, and clean in heart. Magnanimity was a predominant characteristic of

his nature. That he never did a mean act, followed from his incapacity to entertain a motive that would produce such a deed. His open, honest countenance, his upright manly bearing, his genial smile and winning manner, were the natural indications of what the man truly was in his inmost heart of hearts. He wore no mask. His clear and pure spirit was revealed in every line of his manly face and form.

Grenville Tremain, although possessing great quickness of the perceptive faculties, joined with gifts of language and oratorical ability, had the rare capacity to recognize that such qualities are but weapons, and that industry and searching application alone furnish the ammunition with which such arms are made effective. Never was he betrayed by his ease of acquisition, into want of preparation. Never was he led by his facility of speech, into lack of substance in his ideas. His watch over himself, and his efforts at culture and mental development were incessant. He was constantly endeavoring to improve himself by earnest reading outside of his professional needs, and by an acquaintance with literature beyond the shelves of the legal library. He aimed at a broad culture. While enthusiastic in the study and practice of his profession, believing that he had chosen the noblest pursuit that this life affords, and that which leads most successfully to mental growth and intellectual power, he sought a still higher place than that attainable by him who is a lawyer alone. His enthusiasm was alike a source of power and a charm of attraction. His whole soul was given to the work of the moment. His capacity to sink himself in the interests of others, gave him both the affection and the confidence of his clients. Ambitious, indeed, he was, but his ambition was truly to be, not merely to seem. He would have despised any success not fairly won, and not honorably obtained.

As boy and man, the conspicuous qualities of his nature were his robust vitality and his tender susceptibility. Sweetness and strength were in him closely allied. Strong in the contest, eager

and combative in the pursuit of the object of the moment, in social and domestic life, he was full of sympathy, and ever ready to enter into the joys and sorrows of those who were dear to him.

His loss to the bar and the community is great, but others will arise to fill his professional place and to perform his public duties. In the homes where he was a beloved friend, there is a vacancy that never can be filled. On those who loved him as their own, his death inflicts a wound from which there is no recovery.

As a friend he was faithful and generous, as a son he was reverent and obedient, as a father he was patient and firm, as a husband he was true and single-hearted. In all these relations he was tender, considerate and affectionate.

The grave closes over him at the beginning of a useful career, at the very moment when he had begun to fulfill the promises made by his early life.

Beloved by a large circle of friends and relatives, esteemed by the community in which his spotless life has been passed, honored by a learned profession careful of its praise and jealous of its reputation, Grenville Tremain has closed the book of life in its midst, with a record on its pages that few attain, who painfully write on its tear-stained leaves until old age arrests the palsied hand.

> " His life was gentle; and the elements
> So mixed in him that nature might stand up,
> And say to the world — ' *This was a man !* ' "

I remain sincerely yours,

JULIEN T. DAVIES.

To Marcus T. Hun, Esq.,
Chairman, etc.

Mr. Peyton F. Miller said:

Mr. Chairman: — I feel that I must add a few words of tribute to the memory of him whose sudden death we have assembled to-day to lament, and whose noble life and manly character it is a melancholy pleasure to eulogize.

During my brief acquaintance with GRENVILLE TREMAIN, I had learned to admire, respect and honor him. I had seen him advance from year to year in his profession until he occupied a position second to no man of his age in the State. I had often thought of his success, and pictured to myself, how, as his years increased his sphere of influence would grow greater and he would receive those rich rewards which are the recompense of long and well-spent years of industry.

He was gifted with a mind of unusual brilliancy, physique of great attractiveness and a manner singularly fascinating and winning. He was an indefatigable student, of great perseverance and indomitable energy. His command of language was unusual, and there was something in the sound of his voice which arrested the attention of all who heard him speak. While I have enumerated characteristics which would have insured to him an exalted rank as an orator, a statesman and a lawyer, Mr. TREMAIN was the fortunate possessor of other gifts which endeared him to all who knew him. He was a man of a most amiable, gentle and loving disposition, always bright and cheerful, and influenced in all his acts by a piety which was sincere and deep, and in which he was ever consistent. He was a fond and considerate husband, an affectionate parent and a dutiful and attentive son. We lament his loss to our profession, our city and ourselves; but what must it be to those dear ones from whom he has been so suddenly taken? It seems strange that one so noble and well fitted to make the world better should be removed from it in his early manhood, still we are sure that he has entered into a rest more perfect, a peace more deep than this world can give, and a joy that will never end.

Mr. TREMAIN's life among us has ended just as he was upon the threshold of a brilliant career, when the prospect before him was brightest, yet we cannot feel that his life was incomplete, that it will teach no lesson to those of us who are left. We shall no longer have him in our midst, but our recollection of him will

often cheer us, and serve as an example of a man who made the most of his life and advantages, and who, although called by the angel of death while still young in years, was found full of honors and ready to obey the summons.

Mr. Stephen O. Shepard said :

Mr. Chairman and Gentlemen of the Bar : The shadow of death has again cast sadness over the rapidly diminishing circle of our professional cotemporaries. One by one the plumed knights who long have led the contests of the bar and the forum, as well as those less conspicuous, have lain down upon the field to rest. Some in physical weakness and with that decay of powers which the years so certainly entail, wearied with the strife and the tumult, have sunk quietly and naturally to earth, as the summer ripened flower shrivels and falls in the chill wind of the autumn. Others in the heyday of life with the impress of their armor ineffaced, with hand upon the hilt of the yet unrusted blade, and with the battle-cry still lingering upon the lips, have been stricken suddenly down to take their place in the dread bivouac of the dead. And now another, Grenville Tremain, has been summoned to obey that relentless roll-call which no mortal yet has ever evaded. He has been summoned at a time when, though yet in his early manhood, he had fairly won an enviable reputation in a laborious profession. He has been summoned at a time when the honors and emoluments of that profession were most freely tendered for his acceptance. He has been summoned at a time when social intercourse, and family, and friends, and home entered largely and liberally into the happiness of his life. He has been summoned at a time when the roughness of the highway had been partially traversed, and when stretching immediately before him in beauty and in promise lay the future of his life. It is the old, old fashion of death, the history of our humanity so frequently repeated, but which, alas, when repeated in a form like this, dispels

not the clouds which sometimes lower so darkly around this great mystery of life. God reigns and this only solves our doubts.

But while we are thus forcibly reminded of our own mortality, it is fitting that we should pass this public tribute to our dead friend. For it is an ill omen when society permits those who have attained fairly and filled well positions of prominence to pass alike with the unworthy and the ignoble unnoticed into forgetfulness.

And yet it seems almost superfluous to stand here and portray to his professional associates, his professional standing, while the atmosphere of his presence is still so freshly around us. It is enough, perhaps, to say, that GRENVILLE TREMAIN, though young in life, was an accomplished lawyer and an eloquent advocate, and that he combined in fair proportions those qualities which insure professional success and professional eminence. He was manly in his bearing, courteous in address, quick in perception and fearless in action. In fact, his professional position was conceded.

But he possessed grander and broader elements in his constitution than these, which enabled him simply to fill the niche, which the profession always holds open to those who are able to occupy it.

GRENVILLE TREMAIN was an estimable citizen, always found upon the side of law and order and good morals, and earnestly and thoroughly identified with every enterprise projected in the cause of benevolence or for the common good. He was a true and loyal friend, and affluent in his resources in behalf of those he loved. He was a kind and considerate neighbor, an honored and almost worshipped father and husband, and as a son how loved and how loving, words uttered here cannot tell.

Thus did Mr. TREMAIN faithfully and honestly bear himself in all of the relations which he sustained to his fellows. And as we look more closely into the constitution of our friend we find underlying all, as a cardinal element in his religious belief, the great fact of his unquestioning recognition of his personal moral responsibility. His faithfulness and conscientious performance of

duty were but the natural outgrowth of his belief. In his estimation moral theories possessed no value as matters of individual faith only as they exhibited efficacy in an upright and honest life.

But the accomplished lawyer, the eloquent advocate, the estimable citizen, the loyal friend, the loved husband, father and son, has passed suddenly and swiftly out from the activities of life with which he was so prominently identified, so suddenly, that we pause astounded, for the moment, at the abruptness of his departure. The dead form of this young athlete, cast lifeless in the amphitheatre, in whose contests he had won a name so fair, brings tears to the eye and sadness to the heart. But yesterday, replete with life, brimming with hope, and love, and energy, and action ; to-day, stark and stiff in the grasp of death, voiceless, motionless and as inanimate as the bier in yonder home upon which his form reposes in its dread stillness before removal to its place of sepulture. Among us, his professional associates assembled here to commemorate his name, as in this community with whose interests he was so closely identified, Grenville Tremain has become a thing of the past. He has crossed the dim line of that border-land where, we believe, burdens are laid down, and where the cross is superseded by the crown. His nights of sleepless agony, his days of pain, the sorrow of parting with those he so dearly loved, the shadow which seemed so prematurely to fall upon his life, are with our friend but things of memory, unsubstantial as the "winged dreams of morning." But his memory will survive, and, thank God, will survive without a shadow to obscure it. The record of his professional life is without a stain.

Mr. Chairman, swiftly in succession are these blows which are falling upon our profession, and each passing year only widens the great breach which death so persistently effects in our ranks. Within a few short years we record the loss of Peckham and Harris and Hill and Cochrane and Reynolds, and a host of others who have shed lustre upon our profession, and now Grenville Tremain has passed forth from among us.

But in the words of another: "While it is fitting that we should pause and drop the tear of friendship over a fallen comrade, it becomes us also to close up the broken ranks, buckle more tightly the armor and wage on the battles of life as best we may until the time of our discharge shall come."

Col. Hale Kingsley said:

Mr. President: — I feel such a profound sense of personal bereavement and loss in the death of him whose memory we have met here to honor and cherish, that I scarcely can trust my heart to give voice to its sorrow, and yet I could not forgive myself if I remained silent here, even among those more eloquent and gifted than I am. And I feel that, although many years his senior, and that to the younger members of the profession more particularly belong the control of these proceedings, yet I am no intruder here.

Grenville Tremain dead! I shall never forget the icy chill which almost stayed the beating of my own heart when the dread announcement was made.

We have met here to-day, the young and old of an honorable profession, of which he was a member, to do him honor. And yet what can we say that has not been truly and justly already said? The press of our city, with a justice and feeling that does it honor, have spoken of the great loss the public has sustained.

His comrades, in military and political circles, his associates in the discharge of public official duties, have all eloquently testified to his great personal worth, high character and winning social qualities.

His brethren in the church, to whom he was as the sunshine and the flowers, add their testimony to his character as a true Christian gentleman.

It remains for his professional brethren to lay their garland of respect and admiration upon his early grave.

No eulogy that I could pronounce would be fulsome. His

high personal character, his honorable and upright manhood, his splendid personal presence, his native ability, fine culture, scholarly attainments and legal knowledge for one so young, combined with tact, judgment and skill, together with success already achieved, gave promise of a lawyer in the future who should win renown for himself and bring honors and fame to the bar of our city and State. But alas! how different was the decree of the Father of us all. Suddenly cut down in the very bloom of life and professional fame.

My own relations with him were so intimate and pleasant, that I cannot trust myself to speak further. I admired and I loved him. But I have one consolation, and that is that being dead, he yet speaketh to the younger members of the profession particularly. All may not be gifted as he was, but they will honor themselves and his memory by emulating his true Christian manhood, his upright professional conduct, and his personal purity in public and private life.

Mr. William Loucks said:

Mr. Chairman:—There are times when words seem to have no meaning, when language utterly fails to express the sorrow and anguish of a stricken heart. I need not say, gentlemen, that this occasion is one. Death has come among us and extinguished the brightest light, among the younger members of our profession, has removed forever from our midst one of our noblest and best associates. Words are useless and unavailing to express our grief and bereavement. We can only weep at his, to us, untimely departure. To those of us who for years have known Grenville Tremain intimately, all eulogy seems vain and empty, to demonstrate that deep and lasting love and friendship which we had for him. It was my good fortune to know Grenville Tremain, not only as a professional brother, but also in the intimate and brotherly relation of college class-mates. We entered Union College together

on the same day, we spent four years together in the same class. And when on Commencement Day, he was awarded the highest honors, there was not a member of the class of '66, that did not proudly and heartily applaud the choice, and openly acknowledged that Grenville Tremain deserved, above the others, those honors so fittingly bestowed. And the tears will fall from the eyes of each and every member of the survivors of our class, whosoever they may be, when the sad tidings reach them that Grenville Tremain, their beloved class-mate, is dead, and gone from them forever. And I think I see them as with bowed heads and tearful eyes, they recall the sweet associations of their college life, with him whose loss they never can replace. It was only a little over a year ago that those of us that are left of our class gathered together in the halls of our Alma Mater, and recited briefly the short history of our lives since leaving her kind protection; and I remember how modestly our deceased brother related his history. There was no air of triumph or undue elevation over a success in the profession, which we know to be unusual and remarkable, in so short a time. It gives me great pleasure and satisfaction to testify to the fullest, to the pure and noble character which our friend bore all through his college course. He was a leader in his class, but his leadership was always toward that which was true and manly, and in all the college sports and excitements which attach to college life, nothing was countenanced or assisted in by Grenville Tremain, which his father or mother could not have been an approving witness. Although one of the youngest in his class in years, he was our brilliant example in energy, honor and manly virtue. You who have known him professionally, and can testify to his noble character and brilliant attainments, let me add, that that character was known and honored by his brothers in college, and only became the more lovely and illustrious, by intimate association. After graduation we attended the Albany Law School together, and there, as everywhere, all paid homage to his brilliant intellect and noble qualities of mind and heart. I am

aware that it is customary, on occasions like this, to extol the virtues of a departed professional brother, sometimes perhaps, beyond what is just to his memory or his life deserved. But in the case of our departed friend, whose loss we, and the whole community, so sincerely mourn, I do not believe we can say too much in praise of his noble, manly character as a friend, a citizen and a professional brother. I have alluded to his college career, and his purity of life then, because I believe it to be high praise of any man that we can say of him that he resisted all evil associations and temptations, which surround young men, away from the influence of home and family. I know of no stain upon the grand record of his life — no blot to mar the purity and beauty of his character. Always genial, unselfish and sympathetic, it was impossible that he could have an enemy deservedly. He was a radical, but in the right Brave to encounter difficulties in the pathway of honorable success. Ambitious, but only to attain that which was worthy. Would that the character of such a man could be seen as in a mirror, and held up for all young men to copy after and emulate. He has been taken from us in the strength and beauty of early manhood. Snatched from us by death's icy fingers, seemingly with cruel haste, but not before he had attained a high and lofty station in the profession of his choice. Many by an ordinary lifetime of effort have not attained a more honorable position in our profession, than that of our friend, in the few years that were allotted to him. Had he been permitted longer to labor in the field that he selected, great and glorious must have been his reward. But he did not live in vain. He lived long enough to show us the power of his mind and the beauty of his character. Long enough to place before us an example of a mighty intellect, guided and controlled by all the nobler impulses of a loving heart. We lament and mourn his early death, but we rejoice that he lived such a grand and noble life.

ACTION OF THE COURT OF APPEALS AT ALBANY, MARCH 19, 1878.

Hon. MATTHEW HALE and S. O. SHEPARD appeared before the court and presented the resolutions in relation to the death of GRENVILLE TREMAIN, adopted at the meeting of the bar of Albany county, Mr. HALE speaking as follows:

May it please the Court: At a very full meeting of the bar of Albany county, held on Saturday, the 16th inst., upon the occasion of the sad death of GRENVILLE TREMAIN, the resolutions which I hold in my hand were adopted, and Mr. S. O. SHEPARD and myself were appointed a committee to present them to this court. In performing my part of this duty I do not propose to attempt to add any extended remarks of my own to the tribute which his brethren of the bar, with one accord and with free hearts, have in these resolutions paid to the memory of our departed brother. He was young in years but old enough to have won a place in the front ranks of the profession. He had distinguished himself more at *nisi prius*, by the careful preparation and thorough trial of causes, and by his ready and persuasive eloquence than by arguments before the court *in banc*. This resulted, however, more from the fact that he had always been associated with older and distinguished counsel than from any want of capacity for the discussion of legal principles, for on the occasions when he has appeared, either in this court or at General Term, he has acquitted himself well. Had his life been spared none can doubt that he would have distinguished himself in every department of the profession. To his many virtues and the purity and excellence of his private life I will only allude. It is enough to say here that he had endeared himself to all his associates at the bar, and that in his death they feel the loss, not only of a promising lawyer, but

of a cherished and noble friend and an active and public spirited citizen.

In behalf of the Albany bar, therefore, I respectfully move that the resolutions which I present may be entered on the minutes of this court.

The motion was granted.

ACTION OF THE GENERAL TERM OF THE SUPREME COURT, HELD AT BINGHAMTON, MAY 7, 1878.

At the opening of the court, Mr. N. C. Moak presented the resolutions in relation to the death of Grenville Tremain, adopted by the Bar of Albany county, and spoke of the character and professional distinction of Mr. Tremain. The court received the Resolutions and directed that they be entered in full upon its minutes.

ACTION OF THE CIRCUIT COURT, AT ALBANY, MARCH 18, 1878.

On the convening of the Circuit Court, Messrs. J. Hampden Wood and Wm. Lansing, the committee appointed by the bar, presented the resolutions adopted at the meeting of Saturday, and they were ordered to be spread in full on the minutes. Both gentlemen in presenting the resolutions made graceful and feeling allusion to the deceased, and Judge Westbrook, in granting the motion, spoke as follows:

When on Thursday last the sad intelligence of the death of our young friend was communicated, its truth seemed impossible. About two weeks ago he had been seen at the Ulster special term at Kingston full of life and vigor. Apparently, every promise of a long, brilliant and useful career, and we could not, when his departure was announced, believe that he had really gone, and that his genial smile and eloquent tongue should no more be seen or heard among the scenes in which he has been a prominent actor.

The court, with the bar, mourns his loss, and with them tender to the stricken family its sincere sympathies.

Well do we remember his first appearance, a few years since, at the General Term of this Court. He had just been admitted to practice, but though young in years, he stood at once a peer among his fellows. There was, even then, a clearness of statement, a fullness and richness of language, an ability to learn, and a grace and elegance of manner, which at once arrested attention and commanded respect. The future years have not belied the early promise. He grew in intellectual and professional stature, and as to-day he lies in his early grave, it can with truth be said he had reached a position at the bar which but few attain after long and weary years of work and toil.

He was, too, more than an eminent and successful lawyer; he was, in addition, a well-rounded and developed man. He was a warm friend, a genial companion, an upright citizen, a loving and tender husband and parent, and a dutiful and affectionate son.

To-day, as we recall his virtues and cherish his memory, it is our glad privilege, as we turn to the sorrowing ones whom he has left, to bid them to look to Him who is their and our only stay and support. May He bind up their wounds, and more than supply the place of him who has gone and now watches their coming.

But, brethren, is there no lesson to-day for us? We are here at this instant; where shall we be at the next? Ever in the hands of the Great Infinite, it becomes us to ask, is He our friend and father, or angry sovereign and judge? When we stand, as we must

each for himself in His presence, shall we have an advocate there? One proffers to us His services now, shall we accept them? God enables us, one and all, so to do that the cause of each of us may thus have a successful issue.

In conformity, as I suppose, with the wish, the resolutions read will be entered upon the minutes of the Court.

ACTION OF THE VESTRY OF ST. PETER'S CHURCH.

At a special meeting of the vestry of St. Peter's Church, held March 15th, 1878: Present, the Rector, Messrs. Pumpelly, Cooper, Pierson, Weaver, Kidd, Judson, Martin and Tillinghast.

Mr. Henry R. Pierson presented the following resolution, which was accepted, ordered placed on the minutes, and a copy sent to the family of the deceased:

We meet as a vestry of St. Peter's Church to perform a sad duty — to make record of a great sorrow.

Grenville Tremain — the youngest of us all, the flower of the Vestry, the fragrance of whose good deeds will hang around us while we live, and whose memory is in all our hearts, ever to remain — is dead.

Other men, in other places, may well speak of his genial, social merits; of his faithful and brilliant professional ability and great promise; of his loyalty to friends, and unswerving fidelity to duty; of his generous and genial hospitality; but what shall *we* say — we, with whom he was so true in the discharge of every Christian duty?

We make this record —

He, the youngest, always a peer, discreet, dignified, careful to decide, firm in conviction, hopeful, cheering, prompt and invig-

orating, broad and catholic — he was the sunshine of the vestry, and the hope of every heart for long life and active usefulness in every Christian work.

From our hearts we sympathize with that devoted wife, so early a widow; with those bright little orphan children — God bless them; with that noble father, so sick and so afflicted; with the tender-hearted stricken mother, whose sorrow cannot be computed; with all his family, to whom he seemed a necessity like a centre around which stars revolve — to all we give words of tearful sorrow and pledges of enduring Christian sympathy; and let this record be entered in full on our minutes and a copy sent to the bereaved family.

ACTION OF THE COMMON COUNCIL.

At a meeting of the common council of the city of Albany, called to take action with reference to the death of Grenville Tremain, the following resolution was presented and unanimously adopted.

Whereas, The members of this Board have heard with the deepest sorrow of the death of Grenville Tremain; and

Whereas, His recent efficient and honorable services to the city in the discharge of the duties of the responsible and important position of Corporation Counsel are entitled to the highest commendation, and marked and especial public recognition is due to his memory from the city; and

Whereas, A special meeting of this Board has been this day convened in view of this afflictive event, for the purpose of signifying its sense of the great loss which this city and the public have sustained; therefore

Resolved, that in the death of one so gifted, so zealous, and so enterprising in the very beginning of his useful career, this city and the public at large have sustained an irreparable loss.

Resolved, That as counsel for the city, his services were of the highest order, and that in the performance of the duties of that office he exhibited traits of mind and character which rendered him a safe and reliable adviser and a firm and prudent officer, who united quick perception with a sound and logical discrimination on all legal subjects presented for his decision.

Resolved, That in private life and character, he was as manly and honorable as he was zealous and efficient in public life.

Resolved, That these resolutions be entered on the minutes of this Board, and that a copy of them be presented to the family of the deceased and published in the public press of the city.

ACTION OF THE ALBANY ZOUAVE CADETS.

At a meeting of the Albany Zouave Cadets, A Company, Tenth Regiment, N. G. S. N. Y., held at their Armory, Friday evening, March 15, 1878, the following resolutions were ordered entered upon the minutes of the company, and a copy sent to the family of the deceased.

The Albany Zouave Cadets unite their tribute with that of all who knew him to the memory of Grenville Tremain. In reverence, we solemnly recognize the Inscrutable Wisdom which removes a noble manhood from our midst, and adds another to the bright constellation of names this company is proud to honor.

His manly form, his generous cheerfulness of disposition which warmed and elevated all spirits which came in contact with him, his highly gifted intellect which he always used as a sacred trust, his courage which never flinched when called to speak or to act for his convictions, and his purity of life which no breath of enmity could tarnish with the faintest shadow of reproach,

together formed a man and comprised a character whose memory will be cherished by us as long as true knighthood is honored.

To his family whose grief is peculiarly sacred, we, as a company, respectfully and mournfully tender our sympathies, and will attend his funeral as a parting tribute to our comrade.

JOHN H. REYNOLDS,
Captain and Chairman.

FRANK S. NIVER, *Secretary.*

ACTION OF THE UNCONDITIONALS.

FRIDAY EVENING, *March* 15, 1878.

The former members, honorary and active, of the Unconditional Club of the city of Albany, upon receiving the sad announcement of the death of GRENVILLE TREMAIN, Esq., at his residence in this city on the 14th day of March, 1878, desire to record their high appreciation of his personal character, their sincere sorrow over his early death and their deep sympathy for his family, his friends and this community in a common bereavement.

Upon the organization of this club in the stirring Presidential Campaign of 1868, GRENVILLE TREMAIN was unanimously chosen its first President. His attention, exertions and personal popularity drew to its membership many of the leading young men of this city, and contributed in no small measure to its high early record and continued reputation. Upon the reorganization of the club, in 1872, Mr. TREMAIN was compelled to decline a similar selection for the leadership, owing to pressing professional duties, but his interest in the club and in all public or political questions never wavered or declined. It was not, however, in the sharp and hotly contested controversies of political life, but in the more quiet, though exciting and exacting contests of a busy and laborious profession, and still more in the retired and

cheerful intercourse of social life that the many virtues of our lamented friend shone conspicuously, and won for him strong, numerous and lasting friendships and an enviable record. We sincerely mourn the removal of one so promising, so generous and so true.

As a further proof of our deep sorrow, be it

Resolved, that the secretary of this meeting be requested to enter these proceedings in full upon the minutes of the club, and forward a copy, duly attested, to the family of our late fellow member, and to the city press for publication, and that we attend his funeral in a body.

DAVID A. THOMPSON,
Chairman.
RICHARD T. LOCKLEY,
C. W. MEAD,
J. B. BRAMWOOD,
Committee.

JAMES R. POST, *Secretary*

SERMON

DELIVERED BY REV. WALTON W. BATTERSHALL, D. D.,

RECTOR OF ST. PETER'S CHURCH,

ON THE

Death of Grenville Tremain.

"For He is not a God of the dead, but of the living; for all live unto Him."—St. Luke, xx: 38.

When the Sadducees came to Jesus with a frivolous question, designed to entangle him in some absurdity regarding the doctrine of the resurrection, our blessed Lord in the first place reproved their unbelief, declaring that they knew not the Scriptures, nor the power of God. He then adduced an argument for the doctrine of immortal life. And what do you suppose that argument was? It was one of the strangest and seemingly the most inconclusive that man could conceive. Christ did not quote the prophets or the Psalms, where he could find authoritative affirmations of this doctrine; for the Sadducees acknowledged only the Pentateuch. It is in the Pentateuch, therefore, that He finds his proof. "Now that the dead are raised, even Moses shewed at the bush, when he called the Lord the God of Abraham, and the God of Isaac, and the God of Jacob." Is this a proof? Does it sound to our ears like a conclusive argument? Is it any thing more than a dialectic dexterity, and a piece of Rabbinical logic? Why, then, did not those Sadducees answer as unbelievers of to-day have answered: "Why,

all that is meant in this passage is that God presented Himself to Moses as the same God who aided and protected his fathers while they were alive, and who would, therefore, aid and protect him during his life." This is all that the passage seems to mean on its surface, but Jesus, when he quoted it, gave a divine glance beneath the surface, and those Sadducees, with their quick Eastern intellect, understood that glance. They apprehended at once the force of those words in which Christ gave explicit force to his argument: "For He is not a God of the dead, but of the living; for all live unto Him."

I desire this morning, while our thoughts are thronged with the memories of that vanished life which yesterday was among us, to bring before you this argument adduced by Christ for the doctrine of immortality. It is in truth one of the strongest and most cogent arguments for that doctrine, and nowhere is it stronger than when it is adduced as I adduce it this morning, in the presence of death and at the portal of the grave. The argument may be stated thus: God has called himself the God of certain individual human souls. He created in those souls capacities for intercourse with Himself; He made them capable of loving Him and worshipping Him, and obeying Him; He entered into a peculiar covenant relation with them. Those souls, at the appointed term of human life, passed from the sight of men. On earth they became simply a memory and a name. Years after they passed away, after their bodies had long since dissolved into their elemental dust, God declared "I am still the God of these souls." What does He mean? That He is the God of something which once lived and has now passed into nothingness? That He, whose eternal delight is in life, and motion, and beatitude, names Himself the God of a nonentity? That He has suffered a nature which He made capable of the sweetest interchanges of love, of the sublimest achievements of virtue, of the most exquisite raptures of pleasure; a nature with which He allied Himself in gracious fellowship, and which He taught to cry out from its measure-

less depths of need and aspiration: "Thou art my God; my heart and my flesh rejoice in the living God;" that He has suffered this cunningly-fashioned and divinely-endowed nature, with all its immortal longings and unfulfilled possibilities to slip into dust and ashes? Does God in the declaration, "I am the God of Abraham," mean simply to say that He is the author and protector of some human dust that lies sealed in the cave of Macphelah, or waves in the foliage of the oaks of Mamre? It is impossible; reason and nature and the profoundest intuitions of our soul cry out, in those words of Christ: "He is not a God of the dead but of the living." To disbelieve in immortality is to disbelieve in a living God. This is the argument which Christ adduced to those ancient Sadducees, and this is the argument with which the religion of Christ meets the Sadducees of to-day.

It is impossible for me this morning to follow out this argument in detail. I can only throw out a few thoughts, by which you may discern its bearings and measure its force. We are conscious of life, we are conscious of an individual personal life; behind this apparatus of the senses we are conscious of an intellectual and emotional and moral life. Each of us knows that behind all that he thinks and feels and does, there is a living soul and that living soul is the something which he calls himself. There are some who tell us that the soul is nothing but the subtle product of the animal organism; that a man has a certain thought, or a certain emotion, or a certain desire simply because a certain atom of phosphoric acid has been released from some tissue of the brain. Now, there is no question that the soul strikes its roots far and deep into its material organism. We know that it is separated from the body only with a wrench like that with which you pull a deep rooted plant from the soil. But we know, too, that the soul is something distinct from the body. You do not have to weave a subtle web of metaphysics in order to demonstrate the soul. The soul demonstrates itself, just as the sunbeam or the raindrop demonstrates itself. It is simply a fact of our conscious-

ness, or rather it presents a world of facts to our consciousness, and no dissection of the nerves or study of the chemic elements of the blood, will account for these facts. Well, this life of the soul which ranges the kingdoms of thought; which throbs with passionate loves; which reaches out with infinite yearnings — this life by virtue of which a man forms ideals of duty; crushes back some impulse of sense in loyalty to some eternal law of righteousness; this life by virtue of which a man hopes and loves and aspires and worships — is beyond question the highest type and manifestation of life. It is the noblest of all the myriad activities that pulse through the universe; and it expends its grandest energy, it thrills with its most exquisite phases of pleasure when it flows out in fellowship and interchange with God. The spirit indeed loses its sense of orphanage only in the communion of the Father of Spirits. Its highest ideals, its ultimate possibilities are hid in the infinite bosom, and this unrest and yearning, and struggle which we call life are only the efforts of the soul to attain its ideals and unfold its possibilities. It finds fulfillment and repose only as it is clasped to the embrace of the infinite bosom.

The question now arises, will God fling all his wealth of energy into nothingness? Will God, the exhaustless fountain which pours forth the torrents of life that flow through the universe, do nothing to cherish that type of life which is so akin to His own; which yearns to fulfill itself in His own inextinguishable and uncreated life? Did God put all these hopes, and capabilities and possibilities in the human soul to strangle them in an eternal death? Let us gather the issue into a focal point. Let us select a single figure of history — the man Christ Jesus, that human soul that blossomed on the hillside of Nazareth; that unfolded its heroic manhood and threw out the tokens of its stainless purity and its moral grandeur through thirty-three years of human history. What has become of it? What has become of that spiritual grasp, and moral energy and those burning depths of love, and those capacities of self-sacrifice which were in the human heart

of Christ? Have all these forces, the energies of that peerless soul been blotted out of the universe? Have they slipped into nothingness? It is impossible. Reason starts up and says, if there be a God, it is impossible. And what is true of the peerless humanity of the son of God is true of the stained and broken humanity which belongs to the race whose nature He assumed.

We can talk glibly of the lack of scientific demonstration of the doctrine of immortality. We can class the immortality of the soul, according to the dreary sarcasm of Huxley, among questions like that of the politics of the moon; we may even commit ourselves to theories which imply the death of what we call the soul, when its fleshly tent falls asunder; but let one be stricken down whose life was interlinked with ours, let a loved form be borne over our threshold, let us know the intellectual power, and the moral force, and the sweet loves, and the tender reverences, and the aspirations after truth, and light, and holiness that once lodged in that form — shall we not ask what has become of this fragment of soul-life with the image of God upon it?

Is this world such a riddle, is our nature such a falsehood that all this is lost, dropped out of the universe of being? Was all that force of thought, and will, and emotion, that sense of personality, that conviction of duty, that inner vision which saw God — was it all cast up from the abyss of nothingness; and after its little spasm of life, is it all absorbed into the abyss of nothingness? Nay; the heart flings back the falsehood, and to the end of time the heart of man will fling back the falsehood which despoils life of its beauty, and robs us of our immortality.

This, my friends, is the high argument which we recite in the presence of that shadow of death which lies athwart our prayers, and anthems, and meditations, to-day.

Never does man so defiantly assert his heritage of immortality as when he bears some form, sacred by the memory of its vanished life, to the door of the sepulchre; and never has this argument, in which the capacities of our nature and the righteousness of

God are pledged for our immortality, come to me with such persuasive power and potent demonstration, as when I think of the quenched flame of that brave young life whose sweet memories throng upon us at this holy hour. Bear with me a moment. Others, venerable in years, and by virtue of that ampler fee, a trained and ripened character; others, with lordlier honors, and with the rich harvest of a completed and rounded life, have gone down from this house of prayer to the sepulchre. But he, in the flush of his beautiful youth, with the colors of the dawn yet upon his life, with so much of suggestion and promise and possibility stretching out within the vales of the future, seems as if he were one of those, who stand like broken columns of a rare and costly sculpture, to teach the world the lesson of immortality by the incompletion and the unfulfillment that haunt the beauty of mortal things.

There is no need that I should sketch, even in faintest outline, those traits of character which won him the laurels of his profession and the applause of good men. The great contemporary statesman who gave the secret of Sir Walter Raleigh's marvelous achievements when he said, "I know that he can toil terribly," wrote at once the eulogy and the epitaph of that young lawyer, who poured his rich forces of brain and heart into the accomplishment of a large and honorable career. But that of which I am thinking this morning, that which makes him seem to us a living thing, even while we bury all that we can see of him in the bosom of the earth, is that vitality of soul; that fine and rare enthusiasm; that full, rich pulse of generous life. Above all else he was a knightly spirit, full of sweet and gentle courtesies; tender and loyal and true; believing in the good of men rather than the evil; nourishing that which was best within him, by earnest faiths, and placid trusts, and lofty ideals of conduct. As I think of him, thus he comes before me — a soldier, like his brother; a knight, by the mystic accolade of God, which made him a chivalrous soul; and falling, like his brother, in the onset of life, in the bloom and glory

of his dawning manhood. And as I think of him, there comes to me that vision of Sir Galahad in the verse of our great poet:

"My good blade carves the casques of men,
My tough lance thrusteth sure,
My strength is as the strength of ten,
Because my heart is pure.
I muse on joy that will not cease,
Pure spaces clothed in living beams,
Pure lilies of eternal peace,
Whose odors haunt my dreams;
And, stricken by an angel's hand,
This mortal armor that I wear,
This weight and size, this heart and eyes,
Are touched, are turned to finest air."

And all this is gone! Beneath spring skies, with sunbeams pulsing through the air, and the tender buds pressing upwards through the sod, all this has passed out of being! Is it so? Does nature lose her most precious product, a human soul, and make no sign? It would seem, as that bereaved and stricken father, sitting this morning in his desolated home, told me the other day, as if the earth should shake, and lightning should leap from the skies, and all nature should bear witness to this great woe that is being wrought in a human life. Thus does the soul seek to find some echo of its sorrow in the voices of the physical universe. But, no! the sun shines, and the vernal air sweeps about us with its sweet prophecies of flowers; meanwhile, a soul has vanished from the realms of light. Nay; believe it not! Nature does not so squander her wealth of life; she is calm because she is trustful and patient, and God works behind her laws. He is a living God, and He treasures the life that He has begotten, forevermore. He is our God — a God that reveals Himself in promises and covenants; and by that Divine Life which He once suffered to pass through the portals of the tomb we know that the sweet faces which

have faded from our sight, the dear forms which have been snatched from our fireside, the lives that, to our dim vision, seem to have been cloven to the root in their first early bloom, are not lost, but rather gathered more closely to that bosom where they shall be nourished to a grander and more blissful energy.

Yes, he is gathered to his God, as we trust; as in the certainties of the gospel of our Lord Jesus Christ we know. But is the only lesson of that young life smitten to the ground, that of our immortality? Nay; there is in it a warning to prepare for our immortality.

How sudden was the stroke? So quick, so noiseless and so terrible. But yesterday he leaped up to grasp our hand. To-day we carry him to the city of the dead. Oh! how close to us, behind what thin veils, does that dread angel stand who summons us to our immortality. Shall we not live so as to be prepared for his beckoning finger? Not without purpose has this stroke fallen upon us in the midst of our Lenten solemnities. "In the midst of life we are in death. Of whom may we seek for succor but of Thee, O Lord, who for our sins art justly displeased."

"EHEU! QUANTO MINUS EST CUM RELIQUIS VERSARI QUAM TUI MEMINISSE."

Oh! friend; Oh! brother of my heart!
The young, the strong, the tried, the true!
The tears with which from thee I part,
Forever shall thy grave bedew.

How closely in our boyish days,
Together hand in hand we clung;
Together walked in Learning's ways,
And dreamed of honors to be won!

Thine image stands before me now,
Each trait so long and fondly known;
The stately tread, the noble brow,
The joyous laugh, the tender tone.

Before our youthful barques had met
The turning tide of Life's glad stream
Thy brilliant star has swiftly set,
And left to us the lonely gleam.

The lonely gleam but yet how bright,
How stainless was thine early fame.
In yon far distant worlds of light
'Mid angel bands, I read thy name.

Hush! Hush! No more — be mute, be still,
Oh! heart by waves of sorrow tost!
We bow beneath our Father's will,
And leave with Him our loved, our lost.

March 17th.

NOTE.—Written on the death of GRENVILLE TREMAIN, by an early friend.

Extracts from the Press.

Albany Evening Times.

(March 15, 1878).

There has never been more general regret expressed and felt in this city, than over the early death of Grenville Tremain. Handsome in person, gifted in intellect, possessed of high powers of eloquence, he was the *beau ideal* of the young advocate, and exhibited powers that would have placed him yet higher than in the high rank of the profession that he illustrated and adorned. He was the Bayard of the profession, without fear and without reproach. In all his legal and forensic contests he was never accused of taking an undue advantage, or of delivering an unfair blow. No one can recall in all the activity of his life a cruel or an unkind word, a slur or innuendo, or an insinuation that would tend to throw even a shadow upon a rival reputation, or wound the tenderest heart. He had all the strength of the strongest man with the sweetest sensibilities of the most delicate woman. There was about him a freshness and naturalness from which the roughest contact with the world never took the bloom. Nominated by a great party for the high office of Attorney-General, nominated without hint or asking from himself; his nomination was received by his own party with glad acclaim, and hundreds of the opposite party, those who knew him, marked their appreciation of his honesty, his ability, and his fitness for the place, by giving him the votes that carried him ahead of his fellows on the same ticket. He was a patriot, not only from cool judgment, but with the warm enthusiasm that loved his country even as his mother; and as his

elder brother gave his life for fatherland, so GRENVILLE would have been ready to sacrifice his, had his country called; to him, patriotism was a belief, and a sentiment that is stronger sometimes than a belief, all this crystallized into the golden sentences dropped by his silver tongue in the matchless oration pronounced by him at the laying of the corner stone of the Williams monument. And the great concourse gathered there declared that never did Webster give birth to more fitting discourse — for the audience were moved by the manly beauty and entranced by the noble eloquence of the orator. This effort was perhaps the most complete, scholarly and rhetorical, of the many speeches of his busy life.

To the endowments that Mr. TREMAIN possessed in person and voice and intellect, was added an untiring industry that was undoubtedly the cause of his death. Possessed of so fine a physique, he never seemed to think that the keen blade could wear out the strongest scabbard; he gave himself no rest; night and day he labored at his professional duties, and when in his last hours his mind wandered, it wandered into those professional paths where had been won his early garlands and his youthful fame. At such a time as this, it is not so much the genius of the man or his ability, the strength or grasp or shrewdness of his intellect, that recurs to the minds of his friends — these things but increase the already intense sense of loss by magnifying its greatness — but those attributes of the deceased that, while they add a new pang, sweeten the bitterness of the calamity — his perfect manliness, his truthfulness, his high, clear sense of honor, his love of the true and the right. He leaves to his family, to his widow and his children, the proud, the blessed memory and inheritance of a name kept unstained and unsullied through the fierce turmoil of professional and political contests, and a faith as clear and simple and as honest as that of a little child — one of those little children "whose angels do always behold the face of the Father which is in Heaven."

Albany Evening Journal.

(March 15, 1878.)

The sad announcement in our last edition of yesterday — coming as it did without a warning to any save a very few of the nearest friends — conveyed a shock to this entire community, and carried a deep sense of personal loss to many hearts. There is something peculiarly touching in the sudden death of a young man of robust form and bright promise at the very threshold of a brilliant career. When a man of long years and wide fame passes away, a deeper impress may be left; but in the loss there is also a feeling that his opportunity has been given and his mission well advanced, perhaps altogether accomplished. But when one of rich talents and noble character and honorable ambition is cut down in the very dawn of youth, just as the full radiance of his promise was throwing its light over the pathway of his shining future, it adds the sorrow and the pathos of an opportunity denied and a work unfulfilled. It is like the blight of winter falling upon the early glory of summer.

Grenville Tremain was only in his thirty-third year. The second son of Lyman Tremain, he inherited much of the ability and many of the characteristics of his honored father. Trained at Geneva, graduating at Union in 1866, and next winning the diploma of the Albany Law School, he engaged at once with ardor and enthusiasm in the profession whose severe tests and worthy prizes stimulated the highest impulses of his nature. He joined the firm to which two of the most eminent members of the bar had given distinction, and both the names of Peckham and Tremain were well sustained by those who inherited them. Young Tremain leaped immediately to the front. He had great aptitude and admirable qualifications for his profession. He loved the science of the law and faithfully mastered its principles. His mind was acute, penetrating, fertile in resources and ready in action. With these fine intellectual attributes he united rare gifts

of speech. He was fluent, graceful and forcible; his bearing was dignified and impressive while at the same time winning and unassuming; and the sense of honor, candor and truth which stamped all that he said and did, added the weight of character to the force of logic. Indeed, he combined in an unusual degree the qualities which adorn and strengthen his profession and mark the possessor for sure distinction.

With this excellent equipment of natural gifts and acquired accomplishments, Mr. TREMAIN achieved immediate success. He prepared many important cases and participated prominently in their trial. So early and unmistakably had his abilities been shown, that when Mayor JUDSON appointed him Corporation Counsel, the fitness of the selection was universally recognized. His administration fully vindicated the public confidence. He reduced expenditures, took the work on his own shoulders, cut off extra counsel, successfully defended the city in many suits and effected a large public saving. Throughout his service he was impelled by a deep and conscientious sense of public duty, and when he retired it was with the sincere and cordial respect of all his fellow-citizens. Less than ten years at the bar, he had yet acquired such a standing that the Republican State Convention last fall unanimously presented him for the high office of Attorney-General — a very marked tribute to so young a lawyer. During the progress of that canvass these columns contained a statement of some of the more important work which he had done in the law, and it was a record which few men of his years could equal. Though devoted chiefly to his profession, Mr. TREMAIN'S sympathies and activities were not confined to it. He felt a warm interest in the higher range of politics and public questions, and was a favorite on the political rostrum. Occasionally he turned aside from the exacting demands of law to woo the muse of literature. Perhaps his most notable address of this character was that which he delivered at Schoharie on the dedi-

cation of the monument to one of the captors of Major ANDRE — an address which attracted wide attention.

Mr. TREMAIN united the highest personal attractions with intellectual grace and moral strength. There was manly beauty in his form and manly virtue in his character. He was clean, pure, generous and ardent. No unworthy instincts debased the moral symmetry of his being. His manner was kindly and sincere; his words were gentle and persuasive; his whole individuality won the honor and esteem of all who knew him. He had a frankness and nobility of character with which only honorable aspirations could be associated. And with it all there was so much vitality, so much of virile life and strength, that he seemed the very picture of ideal manhood. How closely the blow strikes to those who were identified with him and counted him among themselves! We can hardly realize that he is gone — gone in the very flush of early life — gone within the few days since his hand was grasped. Always thinking of him as he stood before us, we may say of him as Mr. CURTIS said of another who also in the morning of life "moved forward," and who was not unlike our departed in stainless beauty of character and vigorous buoyancy of manhood — the brilliant THEODORE WINTHROP: "Such was the electric vitality of this friend of ours that those of us who followed him could only think of him as approving the funeral pageant, not the object of it. We did not think of him as dead. We never shall." In the bright, spring morning, "he was alert, alive, immortal."

ALBANY ARGUS.

(March 15, 1878.)

It is with sorrow unfeigned and deep, that we announce to our readers this morning the death of Mr. GRENVILLE TREMAIN, which event occurred at his residence in this city yesterday afternoon about two o'clock, after a brief illness. He was the son of Hon.

Lyman and Mrs. Helen Tremain, and he inherited many of the talents of his most distinguished father. He was born in the little village of Durham, Greene county, on the 19th day of April, 1845, and was consequently in the thirty-third year of his age. At an early period of his life, his father removed from Durham to this city, and entered into partnership with his old friend, the late Judge Peckham. Grenville was the second son, his brother, the late Lieut.-Col. Frederick Tremain, who was killed in the last year of the war, being his senior by two or three years. Young Grenville was educated at the school of Dr. Reed, in Geneva, in this State, and from that institution entered Union College, where he graduated with high honors. He then entered as a student the law office of Peckham & Tremain, and also attended the Albany Law School and graduated from that institution ; and then further pursued his studies in the office, until in 1867 he became a partner in the firm of Peckham & Tremain, and from that day until the day of his death he was an active and useful member of that firm. Mr. Tremain early displayed at the bar the qualities of an able, learned, eloquent and accomplished lawyer. He entered at once into the litigations with which his firm was connected, and scarcely a case was tried by either member of the firm at Albany, that was not prepared by him, and that did not receive the benefit of his indefatigable industry and painstaking research. He very early acquired the confidence of his clients, and he was soon engaged as attorney and counsel in many important litigations. He had the entire respect and confidence of the bench, and no judge ever listened to Mr. Tremain's statement of the facts of a case without an entire trust in the substantial accuracy thereof.

When Mr. Judson was elected Mayor, no other name than that of Mr. Tremain was thought of for the important and laborious position of Corporation Counsel, and from that day to the time of his death it can be truly said that he knew not a leisure moment. No one who has not occupied that office is aware of the engrossing nature of its duties when properly performed, and no

one of his able predecessors ever brought to their discharge a more conscientious determination to perform them fully and properly than did Mr. TREMAIN. No department of the city government hesitated to call upon him for advice and assistance at all times, and no city official ever left him without being satisfied that he had received from Mr. TREMAIN the counsel which he desired, and which resulted from a most painstaking and exhaustive examination of the subject submitted to him. When his term of office expired, he kept on in the discharge of his professional duties without rest, recreation or interruption.

The delicate health of his father at this time left the firm to grapple with something of a large practice, and Mr. TREMAIN took his full share of the labor and responsibility of active professional life. Last year about this time, upon the failure of certain insurance companies in New York, and the appointment of a receiver for them, he was retained as counsel for such receiver, and from that time on he was busy, literally, night and day. The business called him frequently to New York, and he shrank from no labor that the human frame could endure, in order to faithfully and ably discharge the duties of the high trust that had been committed to his care. And it was melancholy in his last illness, when the hand of death was on him, and his mind wandering, to hear from his incoherent speech, how firmly his thoughts were fixed upon the discharge of his professional labors.

Last fall, at the Republican Rochester Convention, without the suspicion of a request from him to any man, unsought and wholly unsolicited, the high honor and compliment of a nomination, by acclamation, for the office of Attorney-General of the State, was accorded to this young man, then standing in the very front rank of his profession among the younger members of the bar. Though suffering the fate of his ticket, it was most gratifying to him and his friends to see the way in which he was appreciated by those in whose midst he had grown up and passed the whole of his pro-

fessional life. His vote in Albany county was many hundreds greater than that received by the rest of his ticket.

Thus he stood but yesterday, as brilliant and eminent a lawyer as any one of his age throughout the length and breadth of the State. To-day he is at rest.

To those who knew Mr. TREMAIN socially, his loss will be irreparable. There was a manliness in his carriage, a frankness and tenderness of character about him, that charmed with the irresistible force of a pure, generous and loving heart. He leaves a wife and five small children, and he died on the birthday of his only son, who is, alas! too young to feel the loss of as generous, loving and tender a father as son ever had.

He rests from his labors, and may he rest in peace. His stricken family have the profound sympathy of this community in this their hour of dire distress, and there is no heart but goes out in pity for the sorrow which this terrible calamity brings upon his suffering father.

SCHOHARIE REPUBLICAN.

(March 21, 1878.)

At Albany, yesterday afternoon, at about two o'clock, GRENVILLE TREMAIN died! When before did the announcement of the death of a private citizen bear such a weight of sorrow? When before did the death of one so young produce so intense a sadness? When, if ever, did the death of a comparative junior in the profession so thrill and paralyze the Bar of New York?

GRENVILLE TREMAIN dead! Alas, alas, the inadequacy of words to give the soul's emotion voice, and chant the requiem it would pen!

Prepared by the equipment of academic life, he entered upon the study of the law with rarest qualifications for the mastery of its

principles and the application of its doctrines, and when admitted to minister at the altars of her inner sanctuary,

"Where Strength, and Beauty, all are allied,"

its grandeur neither overwhelmed nor daunted, but, as if his natural brilliancy and genius "had grown colossal," he at once grappled with and mastered its subtleties, and took position among its advocates rarely equaled — never excelled.

But not for this alone do we eulogize his memory and deplore his early death. His genial and generous nature, kindly sympathy, warm friendship, earnest interest, constancy of devotion; and, above all, his high and keen sense of honor, purity of principle and integrity of purpose, alike in public and private relations, as well where only the eye and voice of conscience as that of the public could see and criticise, endeared him to all who knew him; enshrining him in their heart of hearts as among the truest of friends — the manliest of men.

Proud of his professional attainments and forensic powers as were his brethren at the bar, that was equaled by the admiration and esteem in which he was held by scholars and *litterateurs* for his achievements in the field of letters. His chasteness of style, beauty of language, clearness of strength and elevation of sentiment gave him their chaplet of honor, and twined his name among those to whom the world might safely look for cheer and instruction.

But yesterday, standing on soil consecrated by patriot blood, beneath the shadow of that battle-scarred venerable pile —"The Old Fort,"—was heard the resonant notes of his silvered eloquence, proclaiming the honor of the State to the humble Patriot; glorifying the fealty to trust in whatever sphere, and so inciting a reverence for the memory of those to whose devotion the nation owes its existence; appealing to all to hold as sacred the liberties bought at so fearful a price:—To-day he "sleeps the sleep that knows no waking"— to-morrow his cold remains will be borne,

not to that "temple of silence and reconciliation where the enmities of twenty generations lie buried," but to that place—holier than Westminster's "long drawn aisle," where affection gently deposits its departed — where nature's fragrance floats, where weeping hearts shall come, and loving hands scatter the emblems of love, and so shed upon his resting place the aroma of Faith and Trust.

Sleep, Brother, sleep! Ours the legacy of thy noble deeds and worth, which shall remain to cheer "while memory holds a seat."

New York, May 1, 1878.

My Dear Pierson: One of the regrets I have in going to Europe this summer is that I cannot attend the Union Alumni meeting. I hope some notice will be taken of those who have died during the year. Appropriate references and records should be made every year.

You know how much I admired and loved Grenville Tremain. I know of no words which can be written opposite his name more fitting than those he himself spoke of another, once, who died young. They are these:

"Wherever loyalty and valor are respected; wherever steadfastness and manly devotion are admired; wherever youth, ambition, intelligence and beauty combined command interest and win affection, there will his character be cordially and truly appreciated."

Very truly yours,

JOHN T. HOFFMAN.

Hon. Henry R. Pierson.

ORATION.

DELIVERED BY GRENVILLE TREMAIN ON THE LAYING OF THE CORNER-STONE OF DAVID WILLIAMS' MONUMENT, AT SCHOHARIE, SEPTEMBER 23, 1876.

MR. PRESIDENT AND FELLOW-CITIZENS — In that temple of silence and reconciliation where the enmities of twenty generations lie buried, in the tender and solemn gloom of that venerable abbey wherein is gathered the honored dust of England's bravest and best, surrounded by "royal sarcophagus and carved shrine, and by fading banners which tell of the knights of former time; where the Chathams and Mansfields repose, and where orators and poets lie," is a conspicuous monument, bearing this inscription:

"SACRED TO THE MEMORY OF MAJOR JOHN ANDRE, WHO, RAISED BY HIS MERIT AT AN EARLY PERIOD OF HIS LIFE TO THE RANK OF ADJUTANT-GENERAL OF THE BRITISH FORCES IN AMERICA, AND EMPLOYED IN AN IMPORTANT BUT HAZARDOUS ENTERPRISE, FELL A SACRIFICE TO HIS ZEAL FOR HIS KING AND COUNTRY."

By command of England's king, George the Third, was this monument raised in Westminster Abbey. The sculptor, true to the historical fact, has pictured and perpetuated the singular sense of pain and grief entertained by those who were the foes of him whose name is thus prominently carved in the temple of fame. Contemplating, as it were, with bowed head this rare homage of a great nation to her dead, the spectator is moved to inquire more minutely into the events of this life so grandly immortalized. What has won so much in a career of only twenty-nine years? In this sacred mausoleum of England's mighty dead, where,

Through long-drawn aisle, and fretted vault,

sweep memories of those who have enriched the language, ennobled the human intellect, elevated humanity, or perpetuated in immortal verse the emotions and passions of men, on every side are names, the very utterance of which is an era, an army, an anthem, an empire. To associate with these mighty dead, how incalculable the

honor! How indelible the record here engraven! How immortal the fame here perpetuated!

And yet this man thus wept by his foes and immortalized by his country was an enemy to American liberty, a foe to republicanism, whose death was ignoble, and whose ashes reposed for forty years under the free soil of our own land, marked only by a tree whose fruit never blossomed. That monument to the memory of John André would never have been raised, no such inscription would ever have been written, and that grim irony would not have marred the greatness of Westminster Abbey, but for the critical act, the crucial conduct, and the incorruptible honor of him whose name is upon every lip and in every heart here to-day.

The minute details of the story and the life that are brought to mind by the ceremonies of this day will be wrought out by another and more competent hand. The expression of the thoughts and emotions suggested by the accepted facts connected with the memorable event of September 23, 1780, and a mere outline of the occurrence, are more appropriately within the province of the duty assigned to me. In the contemplation of the performance of that duty I am sustained, buoyed and strengthened by a belief in the leniency of judgment and the charitable consideration of those whom I address.

To us, living when the nation's life has spanned a century, when her greatness and her power are recognized in every clime and upon every sea, when the rich blessings of civil and religious liberty accompany every heart-throb and every breath — to us the page that records the fidelity and the transcendent honor of David Williams, John Paulding and Isaac Van Wart, is serried with lines of the deepest interest, and glorious with letters that can never fade.

We open to-day the book that perpetuates the history of revolutionary times, that tells how our country was baptized with fire and blood; how, through toils, and labors, and sacrifices, and sorrows, and prayers, this last hope of republicanism arose; and we know that the "red rain of her slaughtered sires has but watered the earth for the harvest of their gallant sons." We turn to the chapter blackened by the only traitor that disgraced the revolutionary period, to find that his treachery was defeated and the infant nation saved by the providential presence and the memorable act of him to whom we this day erect with pageant and with pride this monumental tribute.

That André's was an important but hazardous enterprise is now more fully appreciated than even when the stirring events of that period were being enacted — nay, than during the first half century

of the nation's life. The true nature of that enterprise as well, thanks to the unerring adjustment of time, has become fixed and certain wherever intelligence and judicial fairness prevail over passion or sentimentality. I would not if I could, and certainly I could not if I would, mar the charm of that picture which the character and personality of Major André presents. Dissociated from the terrible consequences which would have resulted from a successful termination of that enterprise, and independent of the attempt made in certain quarters in England to cast a shade upon the spotless character of Washington, we cannot contemplate the fate of André without emotions of the profoundest pity. Wherever loyalty and valor are respected, wherever steadfastness and manly devotion are admired, wherever youth, ambition. intelligence and beauty combined, command interest and win affection, there will the character of Major André be cordially and truly appreciated. But these very qualities of heart and mind were the underlying causes of his connection with the enterprise. Considered with all the surrounding circumstances, however, I have no hesitation in saying that, in comparison with the high noon glory that surrounds the distinguished service, lofty firmness and untarnished honor of our own Nathan Hale, the conduct of André pales into a glimmering twilight. He who by corruption and bribery seeks profit and renown, has no place beside him who for love of liberty, considers his own single life but an insignificant offering upon the altar of his country.

The method of André's death was an inseparable accompaniment of the act and of the offense. The laws of war and of nations have inexorably imposed the penalty, and its infamy cannot be lessened in the world's estimation by the fact that his brother was invested with the honors of knighthood. Vattel, the great expositor of the laws of nations and of war, while he recognizes such enterprises as not contrary to the external law of nations, denies that they are just and compatible with the laws of a pure conscience, and says: "Seducing a subject to betray his country; suborning a traitor to set fire to a magazine; practicing on the fidelity of a governor — enticing him, persuading him to deliver up a place, is prompting such persons to commit detestable crimes. Is it honest to incite our most inveterate enemy to be guilty of a crime? * * * It is a different thing merely to accept the offers of a traitor, but when we know ourselves able to succeed without the assistance of traitors, it is noble to reject their offers with detestation."

At this distance of time, then, we view the act of André with that

calmness and repose of judgment that does not err, and which is not warped by

"Titles blown from adulation."

This is the darker side of the picture essential to its completeness; but there are lighter shades to attract the eye and warm the heart. Let us examine them.

Stand with me upon that historic spot, hard by Tarrytown, in the county of Westchester, where the dark blow that was aimed at the life of the young nation was arrested. There the zealous André sees visions of future glory and honor, kingliest rewards, within his very grasp. There, as he rides along his solitary path beyond the American lines and on the very verge of safety, he knows that his heel is upon the throat of American freedom and independence. Within sight the great artery of trade and commerce flows majestic to the sea, unconscious that on this hapless morning of September 21, 1780, its bosom is vexed by the Vulture laden with the fate of nations and of centuries. The giant mountains, sentinels of the centuries, stand and see the beginning and the tragic ending of the hellish plot which includes the destinies of the nation, and the sacrifice of the precious life upon which those destinies hang. Standing at this point of observation, the magnitude of the service of David Williams is more fully seen, is more fully comprehended. In the rusty garb of a reduced gentleman the solitary horseman, as he approaches, is now the central figure of our view. And who is he? Major John André, adjutant-general of the British forces in America. He has left the "Mercuries reclining upon bales of goods, and the Genii playing with pens, ink and paper." Mercantile glories crowd no longer upon his fancy. An "impertinent consciousness" has whispered in his ear that he is not of the right stuff for a merchant, and the picture of his beautiful and beloved Honora has lost the talismanic power to lighten toil and inspire industry. Accomplished in the lighter graces of music, poetry and painting, graceful and cultured in literary expression, fired with a zeal for glory:

"Yearning for the large excitement
that the coming years would yield,
Eager-hearted as a boy,
when first he leaves his father's field,"

he has turned his glowing nature toward the profession of his heart. In the words of his biographer, few men were more capable than he of winning a soldier's reward. A prisoner at the surrender of St. Johns, we see him clinging to the picture his own hand had painted of the loved Honora; promoted for merit and fidelity to a position far above his years and experience, winning the confidence and af-

fection of his chief, Sir Henry Clinton, he is now commissioned for a service of which the King of England did not hesitate to say that "the public never can be compensated for the vast advantages which must have followed from the success of his plan."

Up to that critical moment, nine o'clock on the morning of the 23d of September, there had been no special lack of discretion on André's part. He had been borne along by fates that were propitious, so far as human ken could see, though in fact perils were approaching from sources called accidental, perils which to him were entirely unforeseen. For more than a year he had, without exposure or suspicion, conducted a clandestine correspondence with the traitor Arnold. The treason had been hidden under the phrases of the mercantile profession. Arnold, under the feigned name of "Gustavus," had communicated much valuable, and often highly important information to André whom he addressed as John Anderson. Sir Henry Clinton, the commander of the British forces, had soon suspected the true rank and person of Gustavus. Several attempts at a personal interview had miscarried, but the infidelity of Arnold had never been suspected. He had by importunity at last succeeded in obtaining from Washington command of West Point without causing the slightest shade of suspicion to cross the sagacious mind of that watchful commander. There his plottings were renewed. Even the overture which had come in response to his communications, and borne by the ominous Vulture up the Hudson to within fourteen miles of Arnold's quarters, near West Point, had been shown to Washington in the presence of La Fayette, with a brazen boldness that extinguished all doubts of Arnold's honor. "I had no more suspicion of Arnold than I had of myself," said the chief in relating this. On the 20th, André had boarded the Vulture in the highest spirits, confident of success. The details of that midnight voyage of twelve miles, from King's Ferry to Teller's Point, and back from the Vulture to Long Clove, are known to all. With oars carefully muffled in sheep-skins, the flag-boat, so called, beneath a serene and clear sky, approached in silence the place of meeting, where the archtraitor was hid among the firs.

From this point occur a series of trivial circumstances, insignificant in themselves but yet big with fate. The refusal of the boatmen to return to the Vulture that night, necessitated the journey to the Smith house, some three or four miles distant, the consequent disguise assumed by André to escape detection during the return by land, and as well the possession of the papers found under Andre's stockings, which led his captors to the knowledge of his true character. Without that disguise and without those papers, while the conspiracy might not have been defeated, the life of André would

have been saved. But the memorable act of Col. Livingston is still more remarkable. At day-break, on the morning of the 22d, the Vulture still lingered with impudent audacity in the vicinity of the American fortifications. Her presence had so outraged the spirit of Livingston and the troops that he had applied, but without success, to Arnold for two heavy guns. Nothing daunted by the treasonable refusal of Arnold, he had carried a four-pounder to Gallows Point, a lesser promontory of Tellers, and with but a scant supply of powder, he commenced so active a cannonading upon her that she was obliged to drop down the river beyond range. In this manner all means of access to her by water was cut off from André. But for the American grit and perseverance of Livingston, André would doubtless have found some means of again boarding the Vulture, carrying with him the instruments for the destruction of West Point and her dependencies. Upon such apparently trivial and accidental incidents does the fate of nations frequently depend.

From the window of Smith's house André saw with impatience the Vulture withdraw, but he knew not that she carried with her all his hopes of future glory and renown. All that morning after Arnold's departure, which occurred at ten o'clock, he chafed with impatience to depart. But the jealous, prying, gossip-loving guide, in whose care André had been left, proved too timid, weak and procrastinating for the part assigned him. Toward the last of that ill-omened Friday, the return was begun, with André's spirits sunk deep in gloom and sadness. And well might they be. The bargain had been made by which, for gold, an officer, high in the esteem of Washington, had sold his birth-right and his honor. During that long night he had been breathing the foul atmosphere where treason was hatched, had been looking into a face wrinkled with perfidy, into the blood-shot eyes of a debauched and worthless traitor. And he, the soul of honor, "the pet of the British army," had been bartering with devilish coolness for the soul of a fellow-man. Involved in that midnight conference were the lives of men who had never done him injury, and the happiness of innocent women and children who had never crossed his path. He, the hero, who had been fired by a desire to win renown by heroic bravery and distinguished service for his country, was skulking inside the enemy's lines like a common thief in disguise, the companion of a petty tool and his negro, and with his stockings stuffed with an ill-gotten booty, bought with the price of another's dishonor. Is it any wonder that his mind settled into gloomy forebodings?

He crossed King's Ferry at the northern extremity of Haverstraw bay and took his way, under the dictation of his over-cautious companion, northward, to disarm suspicion. Here another trivial

circumstance interposed itself with unerring fatality. Smith, the willing tool of Arnold, insisted upon remaining over night on the way. Fatal error! In the darkness and silence of that night there were hidden forces at work, which would block the morrow's path with a wall more impregnable than Fort Putnam. The honor and incorruptibility of David Williams was a part of its masonry.

All night the restless André tossed upon an uneasy bed, side by side with the miserable creature whose easy virtue had yielded to the persuasions of Arnold. Is it wonderful that both should have been robbed of sleep? Is it strange that at daylight and without breakfast they should hasten on in the path that was to lead André to the feet of his sovereign, to receive a grateful country's homage and reward?

And now we approach the place and the act in commemoration of which, by the tardy favor and justice of our State, we are assembled here to-day.

The three captors of Major André, whose names have become renowned, would in all likelihood have remained unknown to future generations, had Smith, as he agreed, accompanied André to White Plains, below Tarrytown. But yielding to his pusillanimous fears, he refused to go further than Pines Bridge.

From this point, then, our solitary horseman approaches the place where we stand. To the west of the road was the river; to the east, the Greenburgh Hills, in whose bosom lies the world-renowned vale of Sleepy Hollow, with its old church founded by the Philipse family, and the ancient bell with its legend, *Deus pro nobis, quis contra nos.* In front of him as he passes, a few rough logs laid side by side, furnish a passage over a rivulet, which rises in the neighboring swamp and finds its way westward into those broad waters of the Hudson known as the Tappaan Zee.

Here on the south and west side of the path, concealed among the bushes, are David Williams, the eldest of the party (he being about twenty-two years old), John Paulding and Isaac Van Wart, yeomen. Not freeholders under the rank of gentlemen, but American citizens of humble birth, two of whom had already risked their lives in the service of their country and in the cause of the colonies, against whom the breath of slander from sentimental or compassionate lips, had not yet breathed a shade of suspicion; representatives of that "Peasant Patriotism of America — the conquering power of the revolution — the essential element then, as now, and evermore, of American greatness and American freedom!"

Springing to their feet, with presented muskets, they bid the stranger stand and announce his destination. Surely the darling of the British army, who, by sagacity, prudence and bravery, has

been elevated to the rank of adjutant-general of the British forces in America, is possessed of sufficient caution to disarm this bristling trio! Not so. Although armed with Arnold's pass to guard him against the only real enemies he has cause to fear, and which has already put to sleep the awakened suspicions of the wary Captain Boyd, some overruling Providence leads him to make that fatal answer, "My lads, I hope you belong to our party." The reply comes quick, "What party is that?" "The lower party," he answered. "We do," is the reply. "Thank God, I am once more among friends," he cried, deceived by the rude simplicity of the men, and recognizing a British military coat upon Paulding's back, a coat in which (in lieu of his own, of which he had been despoiled) Paulding had escaped from the enemy, in whose hands he had fallen some five or six days before the capture of André. "I am glad to see you, I am a British officer; I have been up in the country on particular business, and I hope you won't detain me a minute," confidently continued André.

The long agony was over! That mine which had been set for the overthrow of the citadel of American freedom and independence, whose train it had taken months to lay, was now exposed and harmless, unless

> "The jingling of the guinea
> That helps the hurt that honor feels."

can successfully assail the virtue of Williams, Van Wart and Paulding. This vast assemblage, these ceremonies, the projected monument over the remains of David Williams, but above all that waving symbol of the power and greatness of this nation, tell with unmistakable and an unanswerable emphasis of the incorruptible integrity of these simple rustic men.

The State of New York has honored herself by making the appropriation necessary to commence this monument over the remains of the only one of that immortal three, whose grave remains to this day unhonored. In 1827 the city of New York erected a monument over the remains of Paulding near Peekskill, bearing this significant inscription:

"*On the morning of the 23d of September*, 1780, *accompanied by two young farmers of the county of Westchester (whose names will one day be recorded on their own deserved monuments) he intercepted the British spy André. Poor himself, he disdained to acquire wealth by the sacrifice of his country. Rejecting the temptation of great rewards, he conveyed his prisoner to the American camp; and by this act of noble self-denial the treason of Arnold was detected, the designs of the enemy*

baffled, West Point and the American army saved, and these United States, now, by the Grace of God, Free and Independent, rescued from most imminent peril."

At Greenburgh, near Tarrytown, on the spot where the remains of Isaac Van Wart lie buried, the citizens of the vicinity erected, in 1829, a suitable monument, with the following inscription engraven thereon:

"*Fidelity. On the 23d of September*, 1780, *Isaac Van Wart, accompanied by John Paulding and David Williams, all farmers of the county of Westchester, intercepted Major André on his return from the American lines in the character of a spy; and, notwithstanding the large bribes offered them for his release, nobly disdained to sacrifice their country for gold, secured and carried him to the commanding officer of the district, whereby the dangerous and traitorous conspiracy of Arnold was brought to light, the insidious designs of the enemy baffled, the American army saved, and our beloved country free.*"

On the memorable site where the capture occurred, the young men of Westchester county, in 1853, built a cenotaph in honor of the captors. How appropriate, then, that in this beautiful valley and in this county, where the survivor of the three lived for twenty-six years, and where he died and was buried, there should rise an enduring mark of the gratitude and appreciation of this people!

It does not become the time nor the occasion to enter upon any extended discussion of the mooted questions surrounding the purposes and motives of André's captors. It is too late a day to reverse the judgment of George Washington and Alexander Hamilton, of Congress and the Legislature of this State, all pronounced at the time. Besides the united testimony of a host of their neighbors and acquaintances, the sworn statements of Paulding and Van Wart, and the solemn asseverations of Williams seven months before his death in 1831, all unite in bearing down, with an unanswerable weight of testimony, the eleventh hour statement of Col. Tallmadge thirty-seven years after the capture. To all this we may add the critical analysis, by Henry J. Raymond, of the whole testimony bearing on the subject. That acute publicist dismissed the slander to the reprobation it deserves, and the almost universal judgment of the American people confirms the verdict. For myself, I may be permitted to add, that in my judgment, when examined with fairness, and tested by the rules of common sense and common justice,

every candid mind must inevitably conclude that the overwhelming balance of proof is upon the side of the incorruptible honesty and purity of their motives. Nothing more reliable than rumor and suspicion arising from statements made solely by André, stand upon the other side, statements, it must never be forgotten, which sprang from a heart sorely dejected, chagrined and mortified by his own lack of common prudence; made, too, at a time when his mind, sunk beneath a weight of woe almost incalculable, was seeking for relief in the contemplation of what might have been. It is our duty to guard the reputation of these humble patriots against this misty testimony rising out of such a cauldron of self-interest. It must always be borne in mind that the British would not concede that true virtue was a feature of character belonging to Americans; and André, fresh from a field where he had witnessed the debased character of a high officer, was in no condition of mind to stem the tide of opinion that flowed within the English lines. The virtue of these men, under such circumstances, could not be, and evidently was not comprehended. In the words of Lt.-Col. Fleury, written from Newport, on the 5th of October, 1780: "How great, compared to Arnold, are those peasants who refused the bribe of André. Let this be remembered in favor of the poor."

I may be permitted to express the hope, that somewhere upon this projected monument to David Williams will appear these notable words of Washington in his letter to the President of Congress: "The party that took Major André * * acted in such a manner as does them the highest honor, and proves them to be men of great virtue, * * their conduct gives them a just claim to the thanks of their country."

Perhaps the true nature of this conduct is more eloquently and luminously told in the words of Alexander Hamilton, in the Laurens letter, where he says: "Arnold's conduct and that of the captors of André, form a striking contrast. He tempted them with the offer of his watch, his horse and any sum of money that they should name. They rejected his offer with indignation, and the gold that could seduce a man, high in the esteem and confidence of his country, who had the remembrance of past exploits, the motives of present reputation, and future glory to prop his integrity, had no charms for these simple peasants leaning on their virtue and an honest sense of their duty. While Arnold is handed down with execration, posterity will repeat with reverence the names of Van Wart, Paulding and Williams!"

I owe it to the occasion, to you and to myself, to present some considerations in support of the constantly recurring thought throughout this discourse, of the grave importance of Arnold's

plot. I have already alluded to the estimate of its advantages to the British government pronounced by King George the Third. From the abundant materials furnished by those in the English service at the time, I will only add the following from the memoirs of Sir Henry Clinton, commander of the British forces in New York. In speaking of the arrest of André, he says: "I was exceedingly shocked, as may be supposed, by this very unexpected accident, which not only ruined a most important project, which had all the appearance of being in a happy train of success, but involved in danger and distress a confidential friend for whom I had deservedly the warmest esteem."

Creasy, in his "Decisive Battles of the World," has succinctly described the great and pivotal victory of the Americans at Saratoga, on the 7th of October, 1777. He has conclusively shown the plan of operations which the English attempted in that year, and which the battle of Saratoga defeated. The English had a considerable force in Canada, which had been re-enforced for the purpose of striking a vigorous and crushing blow against the Colonies. It was intended that the force thus collected should march southward by the line of the lakes and thence along the banks of the Hudson river. The British army in New York was to make a simultaneous movement northward up the line of the Hudson, and the two expeditions were to meet at Albany. In this manner all communications between the Colonial army in New England, and the principal army under Washington, which was watching over Pennsylvania and the South, would be cut off. The army from Canada was under command of Burgoyne, and that in New York under Sir Henry Clinton. The plan was ably formed, and was defeated only by the consummate skill of Gen. Gates, and the unprecedented bravery of his men at Saratoga, aided by the delay caused by the fortifications on the lower Hudson, the key of which was West Point, which fortification hindered the prompt co-operation of Sir Henry Clinton with Burgoyne. Clinton, in fact, reached Kingston, where, hearing of Burgoyne's surrender, he burned the place and returned to New York.

What the capture of West Point would have been to the British will be more fully appreciated by an illustration familiar to all. It will be remembered how the country was stirred to its very centre, on the 4th of July, 1863, by the glorious tidings that Vicksburg had fallen, and that "the great Mississippi swept unvexed to the sea." What that meant was soon known. Surrounded, like West Point, with fortifications, redoubts and bastioned forts, it held within its iron grasp the control of the great Mississippi. When it fell, that great artery through which ran the life-blood of the Southern

Confederacy was absolutely within the power of the Federal army. The Rebellion had been cut in twain. In the language of Sherman, "the reduction of Vicksburg made the destruction of the Rebellion certain." What Vicksburg and her dependencies were to the Mississippi in 1863, West Point and her dependencies were to the Hudson in 1780.

What had been lost at Saratoga by open force, would have been regained, had West Point and its dependencies fallen by means of the secret plottings of Arnold. "This was the great object of British and American solicitude," says Irving, in speaking of West Point "on the possession of which was supposed by many to hinge the fortunes of the war." And again he says, "the immediate result of this surrender, it was anticipated, would be the defeat of the combined attempt upon New York, and its ultimate effect might be the dismemberment of the Union and the dislocation of the whole American scheme of warfare." From the mass of American testimony at hand, the following additional proofs are selected. Lafayette wrote to his wife, October 8: "A frightful conspiracy has been planned by the celebrated Arnold; he sold to the English the fort of West Point which was under his command, and consequently the whole navigation of the North river."

General Greene issued a general order on the 26th of October, from which the following is taken;

"Treason, of the blackest dye, was yesterday discovered. General Arnold, who commanded at West Point — lost to every sentiment of honor, of private and public obligation — was about to deliver up that important post into the hands of the enemy. Such an event must have given the American cause a deadly wound, if not a fatal stab. Happily this treason has been timely discovered to prevent the fatal misfortune. The providential train of circumstances which led to it affords the most convincing proof that the liberties of America are the object of divine protection. At the same time, though the treason is to be regretted, the general cannot help congratulating the army on the happy discovery. Our enemies, despairing of carrying their point by force, are practicing every base art to effect by bribery and corruption, what they cannot accomplish in a manly way. Great honor is due to the American army that this is the first instance of the kind, where many were to be expected from the nature of the dispute; and nothing is so bright an ornament in the character of the American soldiers, as their having been proof against all the arts and seductions of an insidious enemy. * * * His Excellency the commander-in-chief has arrived at West Point from Hartford, and is no doubt taking proper measures to unravel fully so hellish a plot."

It must be borne in mind, that had the "hellish plot" succeeded, it would have involved the captivity of Washington himself. The following remarkable letter of Governor Wm. Livingston to General Washington so entirely expresses the emotions of the hour, that it is inserted in full:

TRENTON, *7th October*, 1780.

DEAR SIR — I most heartily congratulate your Excellency on the timely discovery of General Arnold's treasonable plot to captivate your person and deliver up West Point to the enemy, of which the loss of the former, had his infernal machinations succeeded, would have been more regretted by America than of the latter. The remarkable disposition of Providence to frustrate the diabolical conspiracy, will inspire every virtuous American with sincere gratitude to the Great Arbiter of all events; and I hope that no true Whig among us will ever forget the memorable era when we were, by the peculiar guardianship of heaven, rescued from the very brink of destruction.

I have the honor to be
your very obedient servant,
WILLIAM LIVINGSTON.

Is it any wonder, then, that with pomp and circumstance, and with grateful hearts, we assemble to perpetuate with enduring granite, here under the broad sky, and upon the free acres of our beloved country, that transcendent act and that renowned virtue of these captors of André!

Though neglected, he whose ashes lie buried here was not absolutely forgotten by his country, and it is proper that allusion should be made to the rewards which a grateful country has bestowed upon him.

By authority of congress, in 1780, a silver medal bearing the inscription of "Fidelity" and the legend "*Vincit Amor Patriæ*" was presented to each of the captors, and at the same time an annuity was authorized to be paid to each of $200 in specie. In addition, congress granted to each the privilege of locating any confiscated lands in the county of Westchester to the amount of $1,250 or of receiving that sum in cash. The legislature of the State of New York granted to each a farm, reciting in the act as a consideration "their virtue in refusing a large sum offered to them by Major André as a bribe to permit him to escape." In the fall of 1830 the corporation of the city of New York invited David Williams (the survivor of the three), by special messenger to be present in that city at the celebration of the French Revolution. He was drawn, with other heroes of '76, in a carriage at the head of the procession and attracted much attention. He was presented with a silver cup

at one of the schools and at another with a silver headed cane, the stem of which was made out of a *chevaux de frise* used near West Point during the revolution. His widow obtained a continuation of his pension, which ceased at the time of his death. Forty-five years ago, amid a concourse of honoring friends and countrymen, he was buried at Livingstonville, in this county. His remains have been removed by consent of his descendants to this place.

Here in this locality, made memorable by the ruinous invasion of Johnson about the time when the events we have described were transpiring near Tarrytown — here near the place where the "peeled log" of the enemy left its mark upon the old Dutch church — here where brave men and braver women stood with undaunted courage in the midst of conflagration, ruin and death — where the red men showed no mercy, and where patriots never flinched — let his ashes lie. Not in the midst of royal sarcophagi or carved shrines, but surrounded by the veneration of untold generations of freeborn Americans; not wholly unhonored, as heretofore, but graced and adorned with a permanent token of our remembrance and esteem. For at last, thanks to the interest and sense of justice of many good men and true, the legislature of the State, by making an appropriation for the monument, has removed the stain which the neglect of forty-five years had fastened upon us.

Standing where we do to-day, as it were upon the apex of a pyramid, we look back over the way the nation has so grandly trod. In the beginning we perceive the toiling multitudes, who, regardless of personal sacrifice, conscious of their own rectitude and relying upon the favor of God, wrought out the greatest empire of freedom the world has ever seen. In that great work, so full of the richest blessings for us and for our children, let it be remembered, that the part performed by the humblest, was often as important as that of the greatest. The cause of the colonies was near to the hearts of the people. That was the security of the nation then, and it cannot endure without it now.

"Oh! if the young men of our time would glow with a healthy pride of race; if they would kindle with the inspiration of patriotism; if they would find annals wealthier in enduring lesson, and bright with the radiance of a holier virtue than ever Rome embraced or Sparta knew, let them read their own land's history." Then may we be hopeful for the future. Then may the story we rehearse here to-day be borne to future ages along with the growing grandeur of this mighty nation which was built upon the devotion, and will be sustained by the bright example of the Revolutionary Patriots.

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